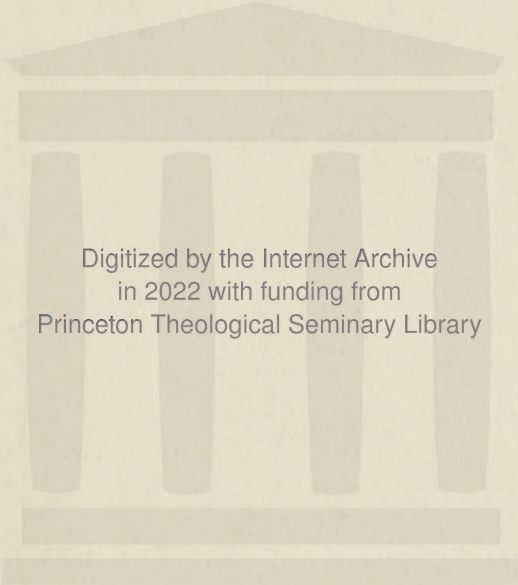


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United Lutheran Church in
America.

Constitution and by-laws of
the United Lutheran Church



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CONSTITUTIONS AND BY-LAWS

The United Lutheran Church
Congregations
Constituent Synods

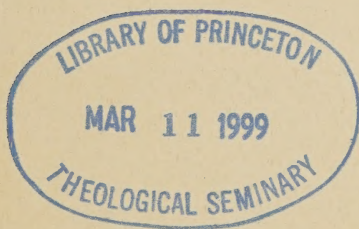
THE UNITED LUTHERAN PUBLICATION HOUSE
PHILADELPHIA, PA.

1928

CONSTITUTION AND BY-LAWS

of

The United Lutheran Church in America



PHILADELPHIA, PA.
THE UNITED LUTHERAN PUBLICATION HOUSE
1925

The Constitution of the United Lutheran Church in America

PREAMBLE

In the Name of the Father, and of the Son, and of the Holy Spirit. Amen.

Having been called by the Gospel and made partakers of the grace of God, and, by faith, members of our Lord and Saviour Jesus Christ, and, through Him, of one another,

We, members of Evangelical Lutheran congregations in America, associated in Evangelical Lutheran Synods, recognizing our duty as people of God to make the inner unity which we have with one another manifest in the common confession, defense and maintenance of our faith, and in united efforts for the extension of the Kingdom of God at home and abroad; realizing the vastness of the field that God has assigned us for our labors in this Western world, and the greatness of the resources within our beloved Church which are only feebly employed for this purpose; conscious of our need of mutual assistance and encouragement; and relying upon the promise of the divine Word that He who hath begun this work will perfect it until the day of Christ Jesus,

Hereby unite, and now invite and until such end be attained continue to invite all Evangelical Lutheran congregations and synods in America, one with us in the faith, to unite with us, upon the terms of this Constitution, in one general organization, to be known as THE UNITED LUTHERAN CHURCH IN AMERICA.

CONSTITUTION

ARTICLE I

NAME

The name and title of the body organized under this Constitution shall be THE UNITED LUTHERAN CHURCH IN AMERICA.

ARTICLE II

DOCTRINAL BASIS

Section 1. The United Lutheran Church in America receives and holds the canonical Scriptures of the Old and New Testaments as the inspired Word of God, and as the only infallible rule and standard of faith and practice, according to which all doctrines and teachers are to be judged.

Section 2. The United Lutheran Church in America accepts the three ecumenical creeds: namely, the Apostles' the Nicene, and the Athanasian, as important testimonies drawn from the Holy Scriptures, and rejects all errors which they condemn.

Section 3. The United Lutheran Church in America receives and holds the Unaltered Augsburg Confession as a correct exhibition of the faith and doctrine of the Evangelical Lutheran Church, founded upon the Word of God; and acknowledges all churches that sincerely hold and faithfully confess the doctrines of the Unaltered Augsburg Confession to be entitled to the name of Evangelical Lutheran.

Section 4. The United Lutheran Church in America recognizes the Apology of the Augsburg Confession, the Smalkald Articles, the Large and Small Catechisms of Luther, and the Formula of Concord, as in the harmony of one and the same pure Scriptural faith.

ARTICLE III

PRINCIPLES OF ORGANIZATION

In accordance with the foregoing Doctrinal Basis, The United Lutheran Church in America sets forth and declares

the following principles as fundamental to its organization:

Section 1. All power in the Church belongs primarily and exclusively to our Lord and Saviour Jesus Christ, the Head of the Church. This power is not delegated to any man or body of men.

Section 2. All just power exercised by the Church has been committed to her for the furtherance of the Gospel through the Word and sacraments, and is conditioned by this end and pertains to her as the servant of Jesus Christ. The Church, therefore, has no power to bind the conscience except as she teaches what her Lord teaches and faithfully commands what He has charged her to command.

Section 3. Congregations are the primary bodies through which power committed by Christ to the Church is normally exercised.

Section 4. In addition to the pastors of churches, who are *ex officio* representatives of their congregations the people have the right to choose representatives from their own number to act for them under such constitutional limitations as the congregations may approve.

Section 5. The representatives of congregations convened in Synod and acting in accordance with their Constitution are, for the ends defined in it representatively the congregations themselves, and have the right to call and set apart ministers for the common work of all the congregations; whose representatives they thereby become, and as such also members of the Synod.

Section 6. Congregations representatively constituting the various Synods may elect delegates through those Synods to represent them in a general body, all decisions of which, when made in accordance with the Constitution, bind so far as the terms of mutual agreement make them binding, those congregations and Synods which consent to be represented in the general body.

Section 7. In the formation and administration of a general body, the Synods may know and deal with each other only

as Synods. In all such cases, the official record is to be accepted as evidence of the doctrinal position of each Synod and of the principles for which alone the other Synods are responsible by connection with it.

ARTICLE IV

MEMBERSHIP

Section 1. The United Lutheran Church in America at its organization shall consist of the congregations that compose the Evangelical Lutheran Synods which have been in connection with the General Synod of the Evangelical Lutheran Church in the United States of America, the General Council of the Lutheran Church in North America, or the United Synod of the Evangelical Lutheran Church in the South, and which accept this Constitution with its Doctrinal Basis as set forth in Article II.

Section 2. Any Evangelical Lutheran Synod applying for admission which has accepted this Constitution with its Doctrinal Basis as set forth in Article II, and whose Constitution has been approved by the Executive Board, may be received into membership by a majority vote at any regular Convention.

ARTICLE V

DELEGATES

Section 1. Each Synod connected with The United Lutheran Church in America shall be entitled to representation at its Conventions by one ordained minister and one layman for every ten pastoral charges or major fraction thereof, on its roll; provided, however, that each Synod shall be entitled to at least one ministerial and one lay delegate; and provided further that the delegates elected by the Synods to the last conventions of the general bodies to which they respectively belong held prior to the first convention hereunder, shall be

and they are in the adoption hereof chosen by their respective Synods as their duly elected delegates to said first convention hereunder, irrespective of the basis of representation upon which they were chosen. The ratio of representation may be changed at any regular Convention of The United Lutheran Church in America by a two-thirds vote, provided that notice of the proposed change has been given at the preceding regular Convention.

Section 2. Each Synod shall choose its delegates in such manner as it may deem proper. The delegates from each Synod shall elect one of their own number as chairman unless the Synod itself has designated the chairman.

ARTICLE VI

OBJECTS

The objects of The United Lutheran Church in America are:

Section 1. To preserve and extend the pure teaching of the Gospel and the right administration of the sacraments. (Eph. 4:5, 6; The Augsburg Confession, Article VII).

Section 2. To conserve the unity of the true faith (Eph. 4:3-16; I Cor. 1:10), to guard against any departure therefrom (Rom. 16:17), and to strengthen the Church in faith and confession.

Section 3. To express outwardly the spiritual unity of Lutheran congregations and synods, to cultivate co-operation among all Lutherans in the promotion of the general interests of the Church, to seek the unification of all Lutherans in one orthodox faith, and thus to develop and unfold the specific Lutheran principle and practice and make their strength effective.

Section 4. To awaken, co-ordinate and effectively direct the energies of the Church in such operations as the following:

(a). The training of ministers and teachers to be witnesses of the Word.

(b). The extension of the kingdom of God by Home, Foreign and Inner Missions.

(c). The proper regulation of the human externals of worship, that the same, in character and administration, may be in keeping with the New Testament and the liberty of the Church, and may edify the Body of Christ.

(d). The appointment of editorial committees or editors of Church papers and Sunday school literature.

(e). The preparation and publication of such literature as shall promote the dissemination of knowledge as to the doctrines, practice, progress, and needs of the Lutheran Church.

(f). The creation, organization and development, through Boards and Committees, of agencies to carry on all departments of work.

Section 5. To lay apportionments, and to solicit and disburse the funds necessary for these and other purposes defined in this Constitution.

Section 6. To foster and develop the work of Synods, to exercise a general supervision of the Church, and on appeal of Synods to give counsel and to adjudicate questions of doctrine, worship and discipline.

Section 7. To enter into relations with other bodies in the unity of the faith and to exchange official delegates with them.

ARTICLE VII

CONVENTIONS

Section 1. A Convention of the duly elected delegates of The United Lutheran Church in America shall be held at least once in every two years, at such time and place as may be determined by the preceding Convention of the body, or by the Executive Board.

Section 2. Special Conventions shall be called by the officers

at the request of two-thirds of the members of the Executive Board, or at the request of the presidents of a majority of the Synods. The delegates shall be those who represented the Synods at the previous regular Convention, provided they have not been disqualified by removal or by the election of new delegates. Vacancies in delegations shall be filled according to the rules of the respective Synods.

Section 3. A majority of the delegates representing a majority of the Synods, shall constitute a quorum.

ARTICLE VIII

POWERS

Section 1. *As to External Relations.* The United Lutheran Church in America shall have power to form and dissolve relations with other general bodies, organizations and movements. To secure uniform and consistent practice no Synod, Conference or Board, or any official representative thereof, shall have power of independent affiliation with general organizations and movements.

Section 2. *As to Internal Relations.* The United Lutheran Church in America shall have power to deal with internal matters that affect all its constituent Synods or the activities of The United Lutheran Church as a whole, except that when the operation of such power takes place within the domain of any of the Synods their consent and co-operation must first be secured.

Section 3. *As to Intersynodical Dealings.* The United Lutheran Church in America shall have power to address and counsel its constituent Synods for the promotion of intersynodical harmony. Any question of interpretation of law, rights, or principle, that comes within its jurisdiction, or any proper cases referred to it on appeal of a Synod, shall be determined by a Commission of Adjudication hereinafter provided for.

Section 4. *As to Individual Synods and Specific Cases.* If Synods have had due and legal opportunity to be represented in the Conventions of The United Lutheran Church in America, they are bound by all resolutions that have been passed in accordance with this Constitution. But each Synod retains every power, right and jurisdiction in its own internal affairs not expressly delegated to The United Lutheran Church in America.

Section 5. *As to Doctrine and Conscience.* All matters of doctrine and conscience shall be decided according to the Word of God alone. If, on grounds of doctrine or conscience, the question be raised as to the binding character of any action, the said question shall be referred to the Commission of Adjudication. Under no circumstances shall the right of a minority be disregarded or the right to record an individual protest on the ground of conscience be refused.

Section 6. *As to the Maintenance of Principle and Practice.* The United Lutheran Church in America shall protect and enforce its Doctrinal Basis, secure pure preaching of the Word of God and the right administration of the sacraments in all its Synods and congregations. It shall also have the right, where it deems that loyalty to the Word of God requires it, to advise and admonish concerning association and affiliation with non-ecclesiastical and other organizations whose principles or practices appear to be inconsistent with full loyalty to the Christian Church, but the Synods alone shall have the power of discipline.

Section 7. *As to Books of Devotion and Instruction, etc.* The United Lutheran Church in America shall provide books of devotion and instruction, such as Liturgies, Hymn Books and Catechisms, and no Synod without its sanction shall publish or recommend books of this kind other than those provided by the general body.

Section 8. *As to Work and Administration.* The United Lutheran Church in America shall have the power to engage in the work described under "Objects" (see Article VI), to

create and regulate Boards and Committees, to determine budgets, and to lay apportionments.

Section 9. The executive power of The United Lutheran Church in America shall be vested in the officers of the general body, in an Executive Board, and in various other Boards for special purposes, subject to this Constitution and the Conventions of the general body.

ARTICLE IX

OFFICERS

Section 1. The officers of The United Lutheran Church in America shall be a President, a Secretary and a Treasurer, who shall be elected by ballot at each regular Convention and shall serve until their successors are elected. The President, who shall be an ordained minister, and the Secretary shall be chosen from the delegates present.

Section 2. The President shall preside at all sessions of the Convention, shall have the appointment of committees, unless The United Lutheran Church otherwise direct; shall see that the Constitution be observed and resolutions carried out; shall sign all official papers, and shall discharge such other duties as are delegated to him by the Convention.

Section 3. The Secretary shall keep a record of the proceedings, attest all documents of the body, and publish the time and place of the next meeting at least two months in advance. In case of a special meeting he shall give a written notice thereof to the President of each of the Synods immediately upon the issue of the call, and shall publish the same at least thirty days in advance of the meeting.

Section 4. The Treasurer shall receive and disburse all moneys, and keep an account of all his transactions and submit a report of the same at each regular Convention. He shall make disbursements only upon the order of the President, attested by the Secretary. He shall be required to give cor-

porate surety in such amount as shall be determined by the Executive Board.

Section 5. In the event of the death, resignation or incapacity of any officer in the interim between Conventions, the Executive Board shall fill the vacancy.

ARTICLE X

INCORPORATION

The United Lutheran Church in America shall be incorporated.

ARTICLE XI

THE EXECUTIVE BOARD

Section 1. The Executive Board of The United Lutheran Church in America, which shall also be its Board of Trustees, shall consist of the President, the Secretary, and the Treasurer of the general body who shall also be the officers of the Executive Board, together with six ministerial and six lay members who shall be elected by the general body for a term of four years.

Section 2. At the first election three ministerial and three lay members shall be elected to serve four years, and three ministerial and three lay members to serve two years. Thereafter three ministerial and three lay members shall be elected at each regular Convention to serve four years.

Section 3. The Executive Board shall meet at stated times. It shall be the duty of the Executive Board to represent The United Lutheran Church in America and to carry out its resolutions and attend to its business during the interim; it shall co-ordinate the work of the executive departments, receive reports as to the work and needs of the several Boards, present a budget to the Conventions with apportionments, fill

vacancies not otherwise provided for, and perform such other work as may be delegated to it by the general body, to which it shall make full report of its acts.

ARTICLE XII

COMMISSION OF ADJUDICATION

Section 1. A Commission of Adjudication shall be established to which shall be referred, for interpretation and decision, all disputed questions of doctrine and practice, and this Commission shall constitute a court for the decision of all questions of principle or action arising within The United Lutheran Church in America, and which have been properly referred to it by resolution or by appeal of any of the Synods.

Section 2. This Commission of Adjudication shall consist of nine members, six ministers and three laymen, learned in the doctrine, the law and the practice of the Church. All of the members of this Commission shall be elected at the first Convention of The United Lutheran Church in America, two ministers and one layman for a period of six years, two ministers and one layman for a period of four years, and two ministers and one layman for a period of two years. As their terms expire their successors shall be elected at each Convention for a term of six years.

Section 3. The Commission shall elect its own officers, and shall meet at least semi-annually for the transaction of business. When it holds meetings, or renders decisions, due notice of the time and place of meeting shall be given by its secretary to all persons interested, and a standing notice of the time and place of its regular meetings shall be published in the Church papers.

Section 4. The consent of at least six members shall always be necessary for a decision.

Section 5. The Commission shall render a written report

of all its actions and decisions to the next regular Convention, but the right of appeal from its decisions shall always be recognized.

ARTICLE XIII

BOARDS

Section 1. The United Lutheran Church in America shall determine the number of members in the several Boards which it shall create, and these Boards shall always be amenable to it.

Section 2. All members of Boards shall be elected by The United Lutheran Church in America. Vacancies occurring in any Board ad interim shall be filled by the Executive Board of the Church on nomination of the Board in which the vacancy exists. No person shall be a member of more than two boards at one and the same time. No member of any Board, including the Executive Board, shall be a member of the Commission of Adjudication; but the President of The United Lutheran Church shall at all times have a seat and a voice in all the Boards and in the Commission of Adjudication.

Section 3. These Boards, upon the determination of the general body, shall secure articles of incorporation which must be in harmony with the purposes of The United Lutheran Church in America; but no Board shall apply for incorporation until its proposed charter shall have received the approval of the general body in Convention, or, in the interim, of the Executive Board.

Section 4. The Boards, unless otherwise provided, shall have power to elect their own officers and employees, and to carry on their work in accordance with the design of their appointment. No member of a Board shall be a salaried employee thereof.

Section 5. The Boards shall require corporate surety from their respective treasurers. At each regular Convention of The United Lutheran Church in America, they shall render full and accurate reports of their work during the preceding biennium.

Section 6. The Woman's Missionary Society, as auxiliary to Boards of The United Lutheran Church in America, shall have the right to appoint two women as advisory members of each of the missionary and benevolent Boards to the support of whose work they regularly or officially contribute.

ARTICLE XIV

SYNODS

Section 1. No Synod in connection with The United Lutheran Church in America shall alter its geographical boundaries without the permission of the general body.

Section 2. Synods shall give advice to their ministers and congregations concerning doctrine, life and administration, and shall exercise such disciplinary measures as may be necessary.

Section 3. The Presidents of Synods shall exercise an oversight of the pastors and congregations composing their respective Synods, and shall be charged with the duty of carrying out the rules and regulations adopted by the Synods. When requested by the Executive Board they shall appear before it to represent their Synods. They may also make suggestions to the Executive Board, or seek its advice, with respect to the conditions and work in their Synods.

Section 4. Should any Synod in connection with The United Lutheran Church in America desire to continue its established lines of work for reasons satisfactory to the general body, such privilege may be granted.

ARTICLE XV

COMMITTEES, BY-LAWS AND AMENDMENTS

Section 1. The United Lutheran Church in America may appoint special and standing committees. It may adopt By-Laws for the transaction of its business, provided that they do not conflict with this Constitution. These By-Laws may be suspended or amended at any Convention by a two-thirds vote.

Section 2. Amendments to this Constitution must be presented in writing at a regular Convention of The United Lutheran Church in America, which shall decide by a two-thirds vote whether and in what form they shall be submitted to the Synods. An exact copy of proposed amendments shall be transmitted by the Secretary to the Presidents of the Synods for submission to their respective bodies. If at a subsequent Convention two-thirds of the Synods shall report their approval of the amendments proposed they shall be declared adopted.

BY-LAWS

AS AMENDED 1920, 1922, 1924

SECTION I

MEETINGS

Item 1. Arrangements for the Conventions of The United Lutheran Church in America shall be made by the officers acting in conjunction with the pastor loci or a local committee appointed for the purpose.

Item 2. Every Convention shall begin with The Service. The sermon shall be preached by the President or someone appointed by him. The first business session shall be opened by the use of the prescribed order.

Item 3. A tentative order of business shall be prepared by the Executive Board. Boards and other representatives of causes desiring to hold meetings in the interest of their specific work shall make request to the Executive Board for a place on the program of the Convention at least two months before the regular meeting. All appointments for religious services and public meetings in the interest of specific causes shall be left with the President.

SECTION II

DELEGATES

Item 1. A roll of the delegates of the Convention of The United Lutheran Church in America shall be prepared by the Secretary prior to each meeting. To facilitate his work each President of a Synod in connection with The United Lutheran Church in America shall forward a list of delegates elected by his Synod to the President and Secretary of the General Body at least 30 days before the meeting, signed by the President and Secretary of the Synod.

Item 2. No changes shall be made in the roll of delegates unless such change is duly authorized by the Synod concerned.

Item 3. In the absence of a quorum the delegates present may adjourn from time to time and postpone the session of the Convention until a quorum shall appear.

Item 4. Delegates, Commissions or representatives from other Lutheran Bodies not in union with The United Lutheran Church in America may be given a voice and a seat, but no vote, in the Convention by a majority vote of the delegates at any meeting.

Item 5. The mileage of all delegates shall be paid from the treasury of The United Lutheran Church, and the apportionment for the treasury shall be made sufficient to cover this expense. Other necessary expenses of delegates shall be provided for as the Synods may determine.

Item 6. Delegates shall not absent themselves from the sessions of the Convention without valid excuse, which shall be presented to the Committee on Leave of Absence. Said committee shall make a final report at the closing session of the Convention. Delegates absenting themselves without being excused shall forfeit their mileage.

SECTION III

RECEPTION OF SYNODS

Item 1. The application of a Synod desiring to be received into The United Lutheran Church in America shall be presented to the Executive Board together with a copy of the Synod's Constitution. Upon recommendation of the Executive Board the Synod may be received in accordance with the Constitution, Article IV, Section 2. The delegates of such Synod upon the approval of their credentials shall at once be seated in the Convention and their names entered upon the roll.

SECTION IV

ELECTIONS

Item 1. At the beginning of every biennial Convention the President shall appoint tellers to conduct the election of officers and Boards in accordance with rules and regulations adopted by the General Body.

Item 2. Election of officers, members of the Executive Board and of the other Boards, including the Commission of Adjudication and all elective Committees, shall be by ballot. The Secretary shall prepare printed ballots for the use of voters in the Convention.

Item 3. In the election of a President, the following rules shall obtain: On the first ballot, three-fourths of all the votes cast shall be necessary to an election. On the second ballot, two-thirds of all the votes cast shall be necessary to an election. If two ballots fail to result in an election, the third ballot shall be confined to the two persons who in the second ballot receive the highest number of votes and no vote cast for any other shall be counted. In the third ballot a majority of the votes shall elect.

Item 4. In the election of the Secretary, Treasurer and

members of regular Boards and elective Committees, a majority of the votes cast shall be necessary for an election.

Item 5. The result of each ballot shall be announced by the tellers to the Convention.

SECTION V

BOARDS AND COMMITTEES

A. List of Boards and Elective Committees

There shall be :

1. An Executive Board.
2. A Commission of Adjudication.
3. A Foreign Mission Board.
4. A Home Mission and Church Extension Board.
5. A Board of Northwestern Missions.
6. An Immigrants Mission Board.
7. A West Indies Board.
8. A Committee of Jewish Missions.
9. A Board of Education.
10. An Inner Mission Board.
11. A Board of Publication.
12. A Board of Ministerial Pensions and Relief.
13. A Parish and Church School Board.
14. A Board of Deaconess Work.
15. A Board for the Home for the Aged.

16. A Committee on Church Papers.

17. An Executive Committee of the Laymen's Movement.

B. Nominations and Appointments

Item 1. In the first Convention the Boards which shall agree to merge their interests in a common Board shall jointly nominate members for such Board. An equal number may be nominated from the floor. In either case the term of each person placed in nomination shall be indicated so that one-third of the members shall serve for two years, one-third for four years and one-third for six years.

Item 2. Thereafter beginning with the second biennial Convention of The United Lutheran Church in America, the term of each regularly elected member shall be six years. Nominations for membership shall be made as follows:

A committee appointed by the President shall nominate a number equal to the number of vacancies on each Board. The Board itself may also nominate an equal number. If any Board shall fail to make such nominations the Nominating Committee shall present twice as many as are to be elected. Nominations may also be made from the floor. Nominations shall not be so construed as to confine voting to the nominees.

Item 3. The membership of Boards of The United Lutheran Church in America shall consist of not less than nine, or more than twenty-one members.

Item 4. No member of any Board shall be eligible for election for more than two successive terms; and no person shall be a member of more than two Boards at one and the same time.

Item 5. Early in the session of each Convention of The United Lutheran Church the President shall appoint:

(1). A Nominating Committee of nine ministers and nine laymen to make the nominations necessary to fill all vacancies on the several benevolent Boards. Nominations made by the

Boards themselves shall be referred to this Committee as soon as appointed.

(2). A Nominating Committee of nine ministers and nine laymen, to make nominations necessary to fill all vacancies on the Executive Board and on all Commissions and Committees that are to be elected by the Convention.

These Committees shall report at such time as the Convention may designate.

Item 6. A Standing Committee on Church Papers to consist of nine members shall be elected by The United Lutheran Church.

At the first Convention three shall be elected for two years, three for four years and three for six years. Beginning with the second biennium the term for the newly elected members shall be six years.

It shall be the duty of this Committee to select editors of such Church Papers as The United Lutheran Church may recognize, authorize or found. The selection of these editors shall be made, if possible, before or during the Conventions of The United Lutheran Church, and subject to its ratification. If, however, it be impossible to make the selection at the time named the Committee shall have full power to act *ad interim*. The salaries of the editors shall be determined by the Committee and the Board of Publication jointly.

This Committee shall also be charged with the general oversight of the Church Papers whose editors shall be responsible to the said Committee. The Committee shall see that the papers are conducted in accordance with the spirit and intent of the Constitution, in the interest of The United Lutheran Church and for the edification of the people.

Item 7. The President shall appoint a Standing Committee consisting of fifteen members, known as the Common Service Book Committee, to whom shall be referred all matters pertaining to the worship of the Church.

This Committee shall be responsible for the Common Service Book, with respect to text and form in all editions; it shall prepare forms and manuals of worship and devotion

authorized by the Church; and shall consider such other matters as may be referred to it by the Church.

Item 8. The President shall appoint a Committee of three ministers and four laymen to nominate a Standing Committee of ten laymen which shall be known as the Executive Committee of the Laymen's Movement and shall have charge of its development and administration. It shall have power to increase its membership as deemed expedient.

Item 9. In addition to the foregoing, the President shall appoint the following:

(1). A Standing Committee on Associations of Young People whose duty shall be to co-ordinate and stimulate the Societies of Young People in The United Lutheran Church, so that in due time they may be merged into a League of Lutheran Young People.

(2). A Standing Committee to have the supervision of the work of Lutheran Brotherhoods.

(3). A Standing Committee on Work for Boys.

C. Powers and Duties

Item 1. Inasmuch as the Boards and Committees are representatives of The United Lutheran Church in America, and of its work, the general policies of all Boards and Committees shall be decided by the Church, and it shall be the duty of Boards to refer all questions affecting the principles, practice and policy of the Church as a whole, to The United Lutheran Church for decision. It shall be the duty of the Boards to carry out and administer these principles and policies thus decided; and when changes seem advisable they may suggest any changes to the Church for its approval, after which only they shall become operative.

Item 2. No official relationship with any other ecclesiastical bodies or their agencies shall be entered into by any Board or Committee of The United Lutheran Church in

America without the approval of the Church. See Constitution, Art. VIII, Sec. 1.

Item 3. All Boards, Standing Committees and Commissions after each meeting shall furnish the Executive Board with a copy of their proceedings that said Executive Board may be thoroughly informed and qualified to co-ordinate the work of the entire body. Boards which seek appropriations or apportionments shall present their request for the amount desired together with a statement of financial operations to the Executive Board not less than three months before each regular Convention, to enable the Board to prepare its budget.

Item 4. No Board shall have the right to inaugurate a propaganda for the raising of funds, outside of its regular budget, without the consent of the Executive Board of The United Lutheran Church.

Item 5. The financial accounts of the several Boards and Commissions shall be submitted for audit to an accredited accountant. In connection with its report each Board shall present to the Convention the report of the Treasurer certified by said accountant. The fiscal year of all Boards shall close on the last day of the fourth month preceding the one in which the Convention of the United Lutheran Church shall meet.

Item 6. All reports of Boards and Standing Committees, with recommendations, shall be sent to the Secretary of The United Lutheran Church at least sixty days before each Convention. The Secretary shall send out a Bulletin containing reports ten days in advance of the Convention.

Item 7. All reports of Boards shall be regularly signed by their officers. All reports of Committees shall be signed by a majority of the members thereof.

Item 8. Special and institutional reports shall, as far as possible, be incorporated into the report of the Board or Committee dealing with the general subject, and where this cannot be done, shall be heard only in connection with the consideration of that report, and shall be edited before printing.

Item 9. The person first named on a temporary Committee shall act as its Chairman. Standing Committees shall be convened by the person first named, and shall elect their own officers.

Item 10. When, besides the report of the majority of a Committee, there is also a report of a minority, the former shall be read first.

Item 11. In all cases of appeal from any decision of the Commission of Adjudication to the Convention of the United Lutheran Church at least ten days' previous notice in writing shall be given of the intention to appeal, to the Chairman of such Commission in which notice the reasons for the appeal shall be given.

Item 12. An appeal from any decision of the Commission of Adjudication can be made only at the Convention of the United Lutheran Church, at which such decision has been reported, and can be entertained only if the notice specified in Item 11 above has been given, and shall be submitted in writing by five delegates to said Convention. After the submission and argument of the appeal it shall not be voted upon until the succeeding day. For the sustaining of the appeal and reversing the decision from which the appeal is made, a two-thirds vote of the members present and voting shall be necessary. In the discussion of any such appeal, the Commission of Adjudication shall be fully heard through any of its members whom it may designate, whether they be or be not delegates to the Convention.

SECTION VI

CONCERNING THE PRESIDENT

Item 1. The President shall conduct all business according to the Constitution, By-Laws, and Order of Procedure of The United Lutheran Church, and insist upon the observance of

the same on the part of every member. He shall appoint all committees unless otherwise provided for.

Item 2. Robert's Rules of Order Revised shall be the governing parliamentary law except where not in harmony with the Constitution and By-Laws.

Item 3. He shall prepare a biennial report which shall briefly summarize the general conditions in the Church and his own work during the biennium and which shall be presented and assigned to Committees prior to the Convention's entering into the election of a successor.

SECTION VII

COMMITTEES

A. Special Committees

The following special Committees shall be appointed by the President at the first session of each Convention of The United Lutheran Church in America

1. Committee to conduct the opening and closing services of each session.
2. Committee on Leave of Absence.
3. Committee on Proceedings of District Synods.
4. Committee of Reference and Counsel. (Its duties shall include the consideration of all general resolutions before they are submitted to the Convention, arrangements with the President for the hearing of representatives sent to the Conventions, and general assistance to the President in the daily program).
5. Committee to Nominate Executive Committee Laymen's Movement.
6. Committee to Nominate Members of Boards.
7. Committee to Nominate Members of Executive Board, and all elective Commissions or Committees.
8. Committee of Tellers.

B. Standing Committees

The following Standing Committees shall be appointed by the President:

1. Statistical and Church Year Book Committee.
2. Committee on Common Service Book.
3. Committee on Church Music.
4. Committee on German Interests.

(It shall arrange, in conference with the Executive Board, for any meetings of a German Conference required. It shall also be a place of counsel for any agencies of the Church when they are dealing with matters which concern especially the German-speaking portions of the Church. It shall, furthermore, have the privilege to approach any agency of the Church upon matters which are for the interest of that portion of the Church).

5. Committee on Lutheran Brotherhoods.
6. Committee on Women's Work.
7. Committee on Associations of Young People.
8. Committee on Work Among Boys.
9. Committee on Army and Navy Work.
10. Committee on Moral and Social Welfare.
11. Committee on Evangelism.
12. Committee on Church Architecture.
13. Committee on Publicity.
14. A Committee on Necrology, the Chairman of which shall be recognized as the Necrologist of the United Lutheran Church for the biennium.
15. Committee on Transportation. (Its duties shall include all transportation interests, including the mileage and transportation arrangements for the Conventions).
16. An Archivist.
17. Such other Standing Committees as may be provided for from time to time.

SECTION VIII

AMENDMENT

These By-Laws may be suspended or amended at any Convention by a two-thirds vote of the members present and voting; provided that due notice of the amendment proposed shall have been given on the preceding day.

STANDING RESOLUTIONS

Resolved, That no member of the Executive Board shall be a member of any other board; provided, however, that this resolution shall not apply to those elected to boards at this meeting.

(Minutes U. L. C. A. 1918, page 62)

Resolved, That the Convention shall not finally vote appropriations in addition to and above those budgeted until they have first been referred to the Budget Committee for report to the Convention.

(Minutes U. L. C. A. 1924, page 85)

Resolved, That the Chairmen of Synodical Delegations shall be responsible for keeping the attendance roll of their members for each session, receive excuses for absence and report to the Chairman of the Committee on Leave of Absence, with their recommendations, at the opening of the morning session of the concluding day of the Convention.

(Minutes U. L. C. A. 1924, pages 114, 532)

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CONSTITUTION AND BY-LAWS

FOR

Evangelical Lutheran Congregations in
Constituent Synods

OF

The United Lutheran Church in
America

Approved and Recommended by the Executive Board
of The United Lutheran Church

Revised in 1928.

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THE UNITED LUTHERAN CHURCH IN AMERICA

CONSTITUTION AND BY-LAWS

FOR

EVANGELICAL LUTHERAN CONGREGATIONS

PREAMBLE

In the Name of the Father, and of the Son, and of the Holy Ghost. Amen.

We, members of the Church of Christ, desiring to manifest that inner unity which we have with one another in the common confession, defence and maintenance of our faith and in joint efforts for the extension of the kingdom of our Lord Jesus Christ, unite in the adoption of the following Constitution.

CONSTITUTION

ARTICLE I

TITLE AND INCORPORATION

1. The name and title of this congregation shall be
"..... Evangelical Lutheran Church of
....."
2. This congregation shall be incorporated.
3. The Church Council shall be the Board of Trustees of the corporation.

ARTICLE II

DOCTRINAL BASIS

1. This congregation receives and holds the canonical Scriptures of the Old and New Testaments as the inspired Word of God, and as the only infallible rule and standard of faith and

practice, according to which all doctrines and teachers are to be judged.

2. This congregation accepts the three ecumenical creeds—namely, the Apostles', the Nicene, and the Athanasian—as important testimonies drawn from the Holy Scriptures, and rejects all errors which they condemn.

3. This congregation receives and holds the Unaltered Augsburg Confession as a correct exhibition of the faith and doctrine of the Evangelical Lutheran Church founded upon the Word of God; and acknowledges all churches that sincerely hold and faithfully confess the doctrines of the Unaltered Augsburg Confession to be entitled to the name of Evangelical Lutheran.

4. This congregation recognizes the Apology of the Augsburg Confession, the Smalkald Articles, the Large and Small Catechisms of Luther, and the Formula of Concord as in the harmony of one and the same pure Scriptural faith.

To this Doctrinal Basis all instruction in the Church, the school and the family shall be conformed.

ARTICLE III

SYNODICAL CONNECTION

1. This congregation together with its pastor shall belong to (Synod) in connection with the United Lutheran Church in America, so long as said synod shall adhere to the Doctrinal Basis of the United Lutheran Church in America.

2. This congregation shall never unite with any synod whose doctrinal basis does not agree with the Doctrinal Basis of the United Lutheran Church in America.

3. This congregation shall consider it its duty to support (Synod) to the best of its ability in the upbuilding of the Kingdom of God. In case of dissolution or discontinuance of the congregation its property shall belong to the aforesaid synod.

4. This congregation and its pastor shall hold and observe membership in a conference of the (Synod), as determined by this synod.

ARTICLE IV

MEMBERSHIP

1. This congregation shall consist of the pastor and other members of the Christian Church who are baptized, and who accept the covenants and obligations of this constitution and declare their willingness to abide by its regulations.

2. Admission into the congregation may take place in any of the following ways:

(a) By Baptism—i. e., adults who receive baptism after previous instruction, and children who receive baptism before the age of separate responsibility.

(b) By Confirmation—i. e., persons who have been baptized and have received catechetical instruction.

(c) By Transfer—i. e., persons who come from other Lutheran congregations and present satisfactory letters of dismissal.

(d) By Special Order—i. e.,

(1) Persons who come from other Lutheran congregations but are unable to present letters of dismissal but to whose reception there is no objection.

(2) Persons who come from non-Lutheran congregations, whose life is in accord with the Word of God and who declare before the congregation their readiness to accept the doctrines of the Evangelical Lutheran Church and to accommodate themselves to its forms and usages.

(e) Admission to membership shall take place by vote of the Church Council except in the case of those admitted by baptism.

3. Duties of Members.

The members of this congregation shall honor God, and seek his gifts of grace by regular attendance upon divine services and by partaking of the Lord's Supper as provided for by the congregation; shall read and seek to understand the Word of God and devout literature in accordance with the Scriptures; shall adorn their faith with a godly life; shall bring their children in early infancy to holy baptism; and shall send them to the Bible schools of the congregation and subsequently to catechetical instruction. In case of illness they shall inform the pastor of the same. They shall live peaceably with one another, and in case differences should arise, endeavor to settle them

in a Christian manner, with the help of their brethren, and without recourse to law. They shall have regard for the needy and distressed everywhere and particularly for those of their own household of faith. They shall contribute toward the financial support of the congregation according to their means, and in general seek as much as in them lies to further the life and growth of the congregation, and through the congregation contribute to the general work of missions, mercy, and education as carried on by the United Lutheran Church in America.

4. Classification of Members.

(a) All baptized persons, children and adults, connected with the congregation shall be regarded as baptized members.

(b) All persons who have received the rite of confirmation or who have been otherwise declared members and authorized to receive the Lord's Supper and to participate in all the spiritual privileges of the Church, whether active or inactive, resident or non-resident, whose names have not been removed from the roll by death, dismissal, suspension or excommunication, shall be regarded as confirmed members.

(c) Members who partake of the Holy Communion at least once a year shall be regarded as communing members.

(d) Communing members who regularly attend divine services and who are not in arrears in their subscriptions for the support of the congregation shall be regarded as members in good standing.

5. Rights and Privileges of Members.

(a) All members of this congregation twenty-one (?) years of age and over who are in good standing shall be eligible to vote and hold office.

(b) All confirmed members have the right to attend divine worship, to partake of the Holy Communion unless under discipline, and to ask the services of pastor and church in all necessary cases.

6. Discipline of Members.

(a) If a confirmed member lives in open sin or habitually neglects the means of grace or persistently disregards his Christian duties or repudiates the Christian faith, it shall be the duty of the Church Council to exercise church discipline in his case. To this end the Church Council shall have power to cite any member of the congregation to answer charges brought or to give testimony as the case may require.

(b) The various grades in church discipline shall be private admonition, admonition in the presence of two or three witnesses, citation before the Church Council, suspension, excommunication (Matt. 18:15-17). The suspension or excommunication of a member shall deprive him of all rights and privileges, except that of attending public worship. Excommunicated or suspended members may have their privileges restored, by action of the Church Council, upon the removal of the cause of discipline.

(c) All charges against any member of the congregation must be made in writing and signed by the complainant or complainants. It shall be the duty of the Church Council to investigate and decide such charges. A copy of such charges must be submitted to the accused at least twenty days before the investigation, at which he has been summoned to appear, and at which time he shall be entitled to speak and to produce testimony in his own defence. Appeals from the decision of the council may be made to the congregation and to the synod in accordance with the constitution of the synod with which this congregation is connected.

(d) Should differences or contentions arise in the congregations either between pastor and people, or among the members themselves, and should all efforts to effect a peaceable settlement fail, the matter shall be brought to the attention of synod.

ARTICLE V

MEETINGS

1. Congregational meetings shall be held regularly as the congregation may determine by by-law. Special meetings may also be provided for.

2. At congregational meetings all matters concerning the welfare of the congregation may be determined, including the filling of the various offices of the congregation.

3. The congregation shall have the power to appoint special committees with definite or general instructions; and to authorize the organization of approved societies or special associations within itself, subjecting the same to the control of the Church Council, and making them responsible to the council for all their undertakings.

ARTICLE VI

THE PASTOR

1. The pastor of this congregation shall be one (a) whose soundness in the faith and whose aptness to teach have been examined and approved by an Evangelical Lutheran Synod, and who has been properly ordained; (b) who adheres without reserve to the doctrinal basis of the United Lutheran Church in America; (c) whose life and conduct are without reproach; (d) who is, or agrees to become as soon as possible, a member of (Synod).

2. When the pastorate of the congregation becomes vacant, it shall be the duty of the Church Council at once to notify the President of the Synod, and to consult with him with regard to filling the vacancy. They shall also provide for the supply of the pulpit *ad interim*. They shall after prayerful consideration nominate for pastor one who possesses the requirements set forth in Section 1 of this article. They shall then call a congregational meeting, which shall be announced at least two Sundays in advance, at which the electors specified in Article IV, Section 5, shall vote by ballot for or against the person nominated for pastor. No other person eligible to become pastor shall be considered or voted upon at this meeting. The election and its returns shall be under the care of judges appointed by the Church Council. A two-thirds majority of all the votes cast shall be required for an election.

3. After the pastor has been duly elected a written call shall be tendered him by the officers of the Church Council in which shall be specified the respective duties of pastor and congregation together with the support which the congregation will guarantee him.

4. The duties of the pastor shall be as follows:

(a) To give himself to prayer and the study of the Word of God.

(b) To preach the Word of God on Sundays, festival days, and such other times as the congregation may desire.

(c) To administer the sacraments according to the practice of the Evangelical Lutheran Church.

(d) To visit the members of the congregation, especially the sick.

(e) To instruct and confirm the young of the congregation and to examine all applicants for admission into the same.

(f) To perform the marriage ceremony in accordance with the laws of God and of the State.

(g) To officiate at funerals of members of the congregation.

(h) To care conscientiously for the souls of his flock, and together with the Church Council to maintain church discipline.

(i) To show an active interest in the Bible school and other organizations of the congregation, and in general to promote the spiritual welfare of the congregation.

(j) To keep an accurate record of his ministerial acts in the congregation, in a book provided by the congregation and remaining the property of the congregation; and to report annually these statistics to the congregation and to the Synod or to an official appointed by the Synod for that purpose.

(k) To be present, if possible, at all meetings of the congregation and Church Council, and to give to each the benefit of his wisdom and counsel.

5. In his rights and duties the pastor shall be assisted and respected by the Church Council.

6. Should any charges of neglect of duty or false doctrine or immoral conduct be brought against the pastor such charges shall be presented in writing over the signatures of five voting members of the congregation. When this has been done it shall be the duty of the Church Council to inquire into the truth of the same. The pastor shall have the right to be present and to be heard before the Church Council when such charges are being considered. If the charges be substantiated the Church Council shall admonish the pastor in a Christian spirit, endeavoring to remove all just cause for complaint. Should this prove unavailing the Church Council shall report the same in writing to the President of Synod in order that the case may be dealt with according to the Constitution of Synod. Appeals from the decision of the Church Council may be made to the Synod in accordance with the Constitution of the Synod.

ARTICLE VII

THE CHURCH COUNCIL

1. The Church Council, charged with the administration of the temporal and spiritual affairs of the congregation, shall

consist of the pastor and twelve (?) deacons. (Note.—When a congregation desires to maintain the office of elder or trustee or both, provision may be made in this paragraph for such members of the Church Council in addition to the pastor and deacons. Their office, however, should not be confused with the Lutheran office of the diaconate, and the special function of each should be clearly stated.)

2. The members of the Church Council shall be elected for a term of *three* (?) years each, the terms of *one-third* (?) of them to expire each year. The election shall be by ballot and shall be held at the annual meeting of the congregation. All voting members in good standing shall be eligible for election as members of the Church Council.

3. The duties of the Church Council shall be as follows:

(a) To see that the services of God's house are held at the proper times and conducted in accordance with the Order of the Church; that the pure Word of God is preached as the Church confesses it; and that the Sacraments are properly administered.

(b) To provide for and show an interest in the Christian instruction of the young and of all requiring it.

(c) To assist the pastor in his performance of the duties of his office, particularly in the care of the sick and needy, in the cultivation of harmony among the members, and in the promotion of the general welfare of the congregation.

(d) To show themselves in all things by word and example a pattern of good works.

(e) To assist in exercising discipline in the name of the congregation whenever necessary.

(f) To care for the property of the congregation, and to see that its secular affairs are properly administered. They shall not, however, incur any expense in excess of \$500.00 (?) without the consent of the congregation.

(g) To elect and dismiss all salaried and volunteer officials of the congregation, as the organist, the sexton, the treasurer, and the financial secretary; to fill all temporary vacancies in the various offices.

(h) To provide for a pastoral supply during the sickness or absence of the pastor.

(i) To fix and provide for all salaries not otherwise provided for by the congregation.

(j) To elect the delegate who shall accompany the pastor to the meetings of Conference and Synod or to unite with the Church Councils of the other congregations constituting the parish in electing such a delegate.

4. Officers of the Church Council.

(a) The pastor of the congregation shall be ex-officio president of the Church Council. In his absence or at his request a vice-president, elected annually by the Council from among their number, may preside in his stead.

(b) The Council shall annually elect from their number a secretary who shall record the minutes of all meetings of the Council and of the congregation in a record book provided for that purpose. He shall fill out all orders and together with the president sign them. He shall transact all other written business of the congregation.

(c) The Council shall annually elect two treasurers from among the members of the congregation in good standing, a congregational treasurer and a treasurer of benevolence. The congregational treasurer shall receive all monies intended for the current or special expenses of the congregation. The treasurer of benevolence shall receive all monies intended for the benevolent work of the congregation, the Synod, and the Church at large. The treasurers shall disburse their respective funds according to the direction of the congregation or the Council, and keep proper accounts of all receipts and disbursements. They shall report monthly to the Council as to the financial condition of the congregation and at the annual meeting of the congregation they shall render an accurate account, duly audited, of all monies received and payments made. They shall make no payments without an order signed by the president and secretary of Council. They shall give security in an amount to be fixed by Council. (In case the treasurers are not members of the Church Council, this body may grant them a voice and vote in its proceedings.)

(d) The Council shall annually elect a financial secretary who shall keep a careful record of all contributing members, also an accurate account of their contributions; he shall promptly transfer to the treasurers all money received, and it shall be his endeavor to effect the prompt payment of the year's subscriptions and apportionments.

5. The Church Council shall meet monthly at such time as the congregation may determine by by-law. Special meetings may also be provided for.

ARTICLE VIII

THE SEAL

1. The seal of this congregation presents (here describe definitely the symbols and legend which the seal contains).

2. The pastor shall be custodian of the seal of the corporation.

ARTICLE IX

MISCELLANEOUS

1. By-laws not in conflict with the letter or spirit of this Constitution may be made by the congregation.

2. Alterations, additions, or amendments to this Constitution may be made by a two-thirds vote of the members present at a regular annual meeting of the congregation, provided that the proposed alteration, addition or amendment be moved and presented in writing at the preceding annual meeting by the Church Council or by at least *ten* (?) members in good standing and that the same has been publicly announced to the congregation at its services on two or more Sundays prior to said annual meeting when action is to be taken.

3. Everything in any by-law, resolution, or enactment of the congregation differing from or in conflict with this Constitution is hereby superseded and repealed.

4. A complete annulment of this Constitution and the consequent dissolution of this congregation cannot take place so long as *ten* (?) voting members are willing to continue the organization.

BY-LAWS

SECTION I

CONGREGATIONAL MEETINGS

1. The regular congregational meeting shall be held annually on the day of
2. Special meetings may be called
 - (a) By action of the Church Council.
 - (b) Upon the written request of *ten* (?) voting members of the congregation presented to the Church Council.
3. All congregational meetings shall be publicly announced at divine services at least two Sundays previous to such meetings and the time, place and object of the meeting shall be stated.
4. At the annual meeting, the pastor, the treasurers, and the officers of the various organizations and schools within the congregation shall submit reports in writing.
5. Any number of voting members of the congregation present at such meeting may transact the business, provided that the number present be not less than ten per cent of the qualified voting membership of the congregation.
6. The pastor shall preside at all meetings of the congregation but may request another to do so in his place. In his absence the vice-president of the Church Council shall preside.

SECTION II

DISMISSAL OF MEMBERS

1. Members who remove from the community or desire for a valid reason to sever their connection with this congregation shall request a letter of transfer to join some other specified congregation.
2. All applications for dismissal from the congregation shall be acted on by the Council. Honorable dismissal shall be given only to members in good standing.

SECTION III

THE CHURCH COUNCIL

1. All members of the Church Council properly elected or re-elected shall be installed by the pastor at the next public service following their election or as soon thereafter as possible.

2. All elections of officers shall be by ballot, and the result duly recorded by the secretary.

3. The Council shall meet on the first (?) of each month. Special meetings may be called by the pastor on his own initiative or upon the request of three members of the Council.

4. The following shall constitute the Order of Business:

- (a) Prayer.
- (b) Roll call and action on excuses for absence.
- (c) Reading of minutes.
- (d) Reports of treasurers.
- (e) Report of financial secretary.
- (f) Reports of standing committees.
- (g) Reports of special committees.
- (h) Other reports.
- (i) Reception of petitions and communications.
- (j) Unfinished business.
- (k) New business.
- (l) Adjournment with prayer.

SECTION IV

STANDING COMMITTEES

1. At its first meeting in each congregational year the Church Council shall appoint from its own or from the voting membership of the congregation as many standing committees as the local and general interests of the Church may require.

2. The duties of all standing committees not otherwise defined shall be fixed by the Church Council from whom they shall receive needed instructions, and by whom their acts shall be subject to review. They shall serve for one year. The pastor shall have a voice and vote in all standing committees.

3. There shall be a Committee on Church Property. This Committee shall provide for the proper care and protection of all property of the congregation and see that the same is kept in good repair.

4. There shall be a Finance Committee of which the treasurers and the financial secretary shall be members ex-officio. Its duty shall be to present annually to the Church Council at the meeting prior to the congregational meeting, a budget of necessary expenditures to be met by the congregation for the succeeding year and to devise and put into effect ways and means to gather the needed funds in a systematic way. It shall audit the accounts of the treasurers and the financial secretary, and, in conjunction with the congregational treasurer, invest the funds of the congregation.

6. There shall be a Committee on Literature and Music. It shall be the duty of this committee to provide and care for the books of worship of the congregation, to examine into and recommend the use of approved Lutheran literature and music in the Bible schools, and to seek the introduction of proper church papers and books of family devotion into the homes of the congregation. In consultation with the pastor and the chorister they shall also provide proper music for the use of the choir.

7. There shall be a Committee on Benevolence of which the treasurer of benevolence and the financial secretary shall be members ex-officio. The duty of this committee shall be to disseminate information among the members of the congregation concerning the benevolent work of the church and to promote greater interest in the same. It shall also devise ways and means for the systematic ingathering of the offerings of the congregation for benevolence; to look after the poor and needy in the congregation and provide necessary relief as quickly as possible.

SECTION V

MISCELLANEOUS

All members of the congregation in good standing shall be entitled to use the church building in case of a marriage, funeral or baptism in the family. Others may use the building on such occasions at the discretion of the officers of the Church Council.

SECTION VI

AMENDMENTS

No alterations or amendments to these by-laws shall be made unless they be presented, in writing, to the Church Council and read at a public service prior to the meeting at which they are to be acted upon and adopted by a two-thirds vote of the members present.

A SUGGESTED

CONSTITUTION

FOR CONSTITUENT SYNODS

OF

The United Lutheran Church
in America

Approved July 9, 1919

PHILADELPHIA, PA.
THE UNITED LUTHERAN PUBLICATION HOUSE
1920

A Suggested Constitution for Constituent Synods of The United Lutheran Church in America

ARTICLE ONE

THE SYNOD

SECTION I—THE NAME

The name and title of the Body organized under this Constitution shall be

SECTION II—THE DOCTRINAL BASIS

(a.) This Synod receives and holds the canonical Scriptures of the Old and New Testaments as the inspired Word of God, and as the only infallible rule and standard of faith and practice, according to which all doctrines and teachers are to be judged.

(b.) This Synod accepts the three ecumenical creeds—namely, the Apostles', the Nicene and the Athanasian—as important testimonies drawn from the Holy Scriptures, and rejects all errors which they condemn.

(c.) This Synod receives and holds the Unaltered Augsburg Confession as a correct exhibition of the faith and doctrine of the Evangelical Lutheran Church, founded upon the Word of God; and acknowledges all churches that sincerely hold and faithfully confess the doctrines of the Unaltered Augsburg Confession to be entitled to the name of Evangelical Lutheran.

(d.) This Synod recognizes the Apology of the Augsburg Confession, the Smalkald Articles, the Large and Small Catechisms of Luther and the Formula of Concord, as in the harmony of one and the same pure Scriptural faith.

SECTION III—THE MEMBERSHIP

1. This Synod shall consist of ministers and congregations in unity with the Doctrinal Basis in Section II, received into membership as hereinafter provided.

2. Any Evangelical Lutheran minister applying for admission and accepting this Constitution with its doctrinal basis, and whose ordination or transfer has the approval of the Examining Committee, may be received into membership in the order hereinafter provided.

3. Any congregation located within or contiguous to the natural bounds of the territory of this Synod may, upon approval of the Executive Committee, be received into membership by a majority vote at any regular convention.

4. Every congregation shall be faithful to its obligations to this Synod in all matters of support, practice and church government.

5. Other members shall be such as are received by ordination, transfer, or as hereinafter provided.

SECTION IV—OBJECT, DUTIES AND POWERS

In accordance with the doctrinal basis set forth in Section II of this Article, and in full accord with the Constitution of The United Lutheran Church in America, this Body recognizes that all power in the Church belongs primarily and exclusively to our Lord Jesus Christ, the Head of the Church; and all just duties and powers exercised by the Church are committed to her for the furtherance of the Gospel through the Word and Sacraments.

Therefore this Body is organized

(a.) To preserve and extend the pure teaching of the Gospel and the right administration of the Sacraments (Eph. 4: 5, 6; Augsburg Confession, Article VII).

(b.) To conserve the unity of the true faith (Eph. 4: 3-16; 1 Cor. 1: 10); to guard against any departure therefrom

(Rom. 16:17); and to strengthen the congregations in faith, in confession, and the promotion of the Kingdom of God.

(c.) To give outward expression to the spiritual unity of Evangelical Lutheran Congregations, to cultivate co-operation among all Lutherans in the promotion of the general interests of the Church, and to develop and unfold the specific Lutheran principle and practice and make their strength effective.

(d.) To awaken, co-ordinate, and effectively direct and supervise the united energies of the congregations in such operations as the following:

1. The training of ministers and teachers to be witnesses of the Word; and the upbuilding, maintenance and strengthening of institutions for the promotion of such training.

2. The extension of the Kingdom of God by the support of Home, Foreign and Inner Missions, under the administration and functions of The United Lutheran Church in America.

3. The proper regulation of the human externals of worship in the congregation and family, that the same, in character and administration, may be in keeping with the New Testament and the liberty of the Church, as well as the practice of The United Lutheran Church in America, unto the edification of the Body of Christ.

4. The creation and development of agencies to carry on all departments of work in co-operation with the Boards, Committees, and Agencies of The United Lutheran Church in America.

(e.) To solicit and disburse funds, and to devise ways and means necessary for the purposes of the work defined in this Constitution.

(f.) To ordain fitted men to the holy office of the Ministry of the Gospel; and to suspend and depose those who dishonor it by false teaching, by insubordination or an unworthy or a wicked life.

(g.) To maintain discipline unto the fostering of holiness and fidelity in the ministry and people.

(h.) To maintain a true connection and relation with The United Lutheran Church in America, and all its interests and obligations.

SECTION V—DISTRIBUTION OF FUNCTIONS AND POWERS

The exercise of the functions and powers of this Synod shall be distributed into three departments: 1. The Synod. 2. The Ministerial Session. 3. The Conferences.

ARTICLE TWO

MEETINGS

1. A regular meeting of the Synod shall be held annually at the time specified in the By-Laws.

2. Special meetings shall be called by the President upon the request of the Executive Committee or the written request of one-fifth of the ministers; but no business shall be transacted at a special meeting except that specified in the call.

3. One-third of the ministers, with the lay delegates present, shall constitute a quorum.

4. Notice of the time and place of all meetings shall be given by the secretary, by publication in the official organ of The United Lutheran Church, at least four weeks in advance for regular meetings, and two weeks for special meetings.

ARTICLE THREE

SECTION I—THE OFFICERS

1. The Officers of the Synod shall be a President, a Secretary or Secretaries, and a Treasurer. They shall be elected at regular meetings of the Synod. Ministers only shall be eligible to the offices of President and Secretary. For administrative purposes the Synod may from time to time elect and designate other officers additional to those named in this paragraph.

2. The term of office of the President shall be [*five suggested*] years; that of other officers one year or until their successors are elected. They shall be eligible to re-election.

3. Should a vacancy occur in any of these offices, the Executive Committee shall be empowered to fill the same until the next regular meeting of the Synod.

4. The officers shall be entitled to receive the necessary

expenses incident to the duties imposed by their office, and such remuneration as the Synod may determine.

SECTION II—THE PRESIDENT

1. The term of the office of the President shall begin on the first day of the [second] month succeeding the month of his election.

2. He shall exercise supervision over all ministers and congregations connected with the Synod, and over all agencies created by the Synod for the prosecution of the general work of the Church.

3. He shall preside at all meetings of the Synod, and it shall be his duty to see that the Constitution, By-Laws, and decisions of the Synod are duly obeyed, and its resolutions carried into effect.

4. As necessity arises he shall visit the congregations belonging to the Synod, and confer and advise with pastors and people concerning their spiritual and temporal welfare.

5. He shall ordain all accepted candidates for the ministerial office, and install the pastors of all congregations belonging to the Synod, or provide for and authorize their ordination and installation as the Synod may prescribe in its By-Laws.

6. When the execution of deeds or other instruments of writing is ordered by the Synod, or required by the Constitution, or becomes proper and necessary in carrying on the business of the corporation, the President is authorized and empowered, in the name of the Synod, to sign the same and to affix the corporate seal of the Synod.

7. He shall annually submit to the Synod a report of all his official acts, except matters of a pastoral or private character, together with such other information and recommendations as he may deem of importance.

SECTION III—THE SECRETARIES

1. There shall be a Secretary of the Synod as a corporation, who shall keep all official minutes of the Synod. He, and any other Secretaries which the Synod may elect, shall enter upon his duty on the first day of the [second] month succeeding the month of his election.

2. The Secretary or Secretaries shall prepare and keep a correct register of the ministers belonging to the Synod, with the dates of their entrance into the ministry and places of residence; also a similar register of the congregations and parishes connected with the Synod, with the names of the pastors serving them and of the lay delegates appointed to represent them. Accurate and faithful records of all the proceedings of the Synod and of the ministerial sessions shall be kept by the Secretary or Secretaries, who shall have charge of the printing and distribution of the Minutes, as directed by the Synod, and such other duties as the Synod may from time to time direct.

3. The Secretary of the Corporation is authorized and empowered, in the name of the Synod, to attest all instruments of writing ordered by the Synod or required by the Constitution or necessary in carrying on the business of the Corporation, and signed and sealed by the President.

SECTION IV—THE TREASURER

1. The term of office of the Treasurer shall begin on the first day of the [*second*] month succeeding the month of his election.

2. The Treasurer shall have charge of all the moneys and accounts of the Synod, its deeds, mortgages, contracts, and evidences of claims and revenues, and of its trust funds, except such as Synod may specially commit to other agents, holding the same at all times subject to the order of the Synod.

3. He shall receive and acknowledge all contributions, donations, legacies and bequests made to the Synod, collect all interest and income from invested funds, and pay all appropriations and orders of the Synod on the several accounts as approved and directed by the Executive Committee.

4. He shall keep a regular account with each congregation of the Synod, and from time to time during the synodical year inform the Council or Vestry of each congregation of the state of this account, and prepare and submit at each regular convention of the Synod a tabular statement of such accounts for record and publication.

5. By and with the advice and consent of the Executive Committee he shall make, change, or renew investments of funds owned or held in trust by the Synod; and he is duly

empowered, constituted and authorized as the attorney in fact for the Synod to satisfy of record any mortgages, judgments, notes or recorded evidences of indebtedness, upon the payment and receipt in full of the amounts so secured by the same, and to assign and transfer any policies of insurance or other securities that may be held as collateral to such mortgages, loans or judgments.

6. He shall deposit regularly all moneys received for any account of the Synod, and make all investments, in the name of and to the use of the Synod.

7. On entering upon his office he shall give satisfactory bond to the Synod for the faithful performance of his duties, in such amount as the Executive Committee shall determine, which bond shall be in the custody of the President.

8. At each annual convention he shall render a full, detailed and accurate report to the Synod of all receipts and disbursements in his several accounts, with a statement of the financial condition of the Synod and its apportioned obligations to The United Lutheran Church in America, which report shall be regularly audited and certified.

ARTICLE FOUR

THE MINISTERIAL SESSION

[Synods which have no Ministerial Session should provide for the discharge of these functions by the Synod itself.]

1. The ordained members of the Synod shall constitute the Ministerial Session (Ministerium).

2. To the Ministerial Session shall belong the duty of passing upon and reporting to the Synod all applications for ordination or reception of ministers recommended by the Examining Committee; of examining and trying cases of heresy in doctrine or teaching and preaching what is in conflict with the doctrinal basis set forth in Article One, Section II; of hearing and trying, in executive session, cases in which appeal is granted by Synod from the findings of a Committee on Discipline; and of transacting such other business as the Synod may refer to it.

3. A regular Ministerial Session shall be held in connection with the annual convention of Synod, when the Examining Committee is prepared to report its recommendations in the matter of applicants for ordination or membership. Other

sessions during the Annual Synodical Convention may be called by the President.

4. The Ministerial Session shall be subject to the rules of order governing a regular Synodical meeting; and one-third of the ministers belonging to Synod shall constitute a quorum.

ARTICLE FIVE

THE CONFERENCES

1. District Conferences shall be constituted, composed of ministers and congregations of the Synod located within a given territory, as from time to time determined by Synod.

2. It shall be the duty of each Conference to care for the interests and development of the Church upon its territory; to assist in carrying out the regulations and resolutions of the Synod; and, with the consent of the President of Synod and the congregations concerned, to alter existing pastoral charges; to appoint a Mission Committee, of which the President of Conference shall be the chairman, to report and co-operate with the Synodical Mission Committee concerning missions and new mission fields within the Conference bounds under such rules as the Synod may from time to time adopt; and to attend to such other duties within its territory as may be assigned to it by the Synod.

3. Each Conference shall annually appoint a committee on systematic benevolence, of which the President of the Conference shall be chairman, to co-operate with the Synodical Treasurer (or such other official as Synod may appoint for the promotion of systematic benevolence), as a Committee of Ways and Means, and report to Conference on benevolence offerings, apportionments and uniform statistics.

4. Every pastor and congregation belonging to the Synod and residing or being located within the bounds of a Conference shall by that fact belong to that Conference. Ordained ministers of the Synod not actively serving pastorates shall be assigned Conference connection by the President of the Synod. If any portion of a pastoral charge is not within the boundary lines of the same Conference District, the place in which the pastor resides shall determine his own and the Conference connection of his pastoral charge.

5. Each Conference shall meet at least once in each year, and as many more times as circumstances may require.

Special meetings may be called by the President of the Synod, the President of the Conference, or as may be otherwise determined by the Conference itself. One-third of the ministers belonging to the Conference, together with the lay delegates present, shall constitute a quorum.

6. Each Conference shall annually elect a minister to be President, and such other officers as may be necessary for the transaction of its business.

7. The Conference may adopt for itself any rules and regulations not in conflict with the Constitution and By-Laws of the Synod or of the regulations and resolutions of The United Lutheran Church in America.

8. The President of the Synod shall have a voice and vote in meetings of each Conference.

9. The actions of a Conference shall at all times be subject to review by the Synod.

10. The President of each Conference shall make a written report, including an abstract of the proceedings of the Conference, stating also the condition and needs of the Church within its bounds, and shall transmit the same to the President of the Synod at least three weeks before the annual meeting of the Synod.

ARTICLE SIX

SECTION I—THE EXECUTIVE COMMITTEE

1. There shall be an Executive Committee of the Synod consisting of the President, the Secretary of the Corporation and the Treasurer of the Synod, together with an equal number of ministers and laymen to be elected annually by the Synod.

2. It shall be the duty of the Executive Committee to represent the Synod and to carry out its resolutions; to attend to the business of the Synod during the interim; to co-ordinate the work of the executive departments; to supervise and provide effective agencies for the laying and collection of apportionments; to promote the interests of The United Lutheran Church in America and this Body's relation thereto; to receive reports of the work and needs of the several Boards, Committees, and executive Agencies of the Synod and to present a budget with apportionments to the annual convention; to fill vacancies not otherwise provided for; and

perform such other work as may be delegated to it by Synod, to which it shall make full report of its acts.

3. It shall cause an annual examination to be made of all investments and securities held by the Synod, and report thereon; recommend all appropriations to be made by the Synod, and without its approval no appropriations shall be made, except by a three-fourths vote of the Synod.

4. It shall hold regular meetings during the interim as Synod may determine. Special meetings may be called by the President of Synod, or, in case of his death or removal, by the Executive Secretary of the Corporation. One-third of the members shall constitute a quorum.

5. It shall have power to appoint all necessary sub-committees from among its members. It shall also determine the amount of salary to be paid to any officer of the Synod entitled thereto, when not otherwise determined, and shall make appropriations to meet its necessary expenses.

SECTION II—THE MISSION COMMITTEE

1. There shall be a Committee on Missions, to consist of the President of Synod, three ministers and two laymen. A missionary on the funds of the Board shall not be a member of the Committee unless he is President of the Synod.

2. The Committee may elect a Secretary and a Treasurer, and shall hold regular meetings as may be necessary (at least quarterly) to hear reports and consider all applications for aid and the needs of all missions and new fields on the Synodical territory.

3. It shall superintend and have charge of the missions on the territory of the Synod, under the direction and rules of the General Board of Home Missions and Church Extension of The United Lutheran Church in America. It shall confer with the district General Superintendent of said General Board, and with him make a budget for the necessary funds to be expended on the Synodical territory for the year, which budget shall be submitted for approval to said General Board. The budget decided upon by the District General Superintendent and the Synodical Committee shall represent a maximum amount for the year.

4. The Committee on Missions shall also co-operate with the Board of Home Missions and Church Extension of The United Lutheran Church in America in matters of Church Extension funds.

5. The Committee shall endeavor to foster and cultivate a missionary spirit among the congregations of the Synod, and it shall advise with and assist Conference Committees in planting new missions. It shall have charge of and superintend the work and activities of Inner Missions, of City and Seamen's, and other general missionaries whose salaries, either in whole or in part, are paid by the Synod; and such general missionaries shall render quarterly reports to the Committee.

6. The Committee on Missions shall, upon the direction of the Synod, elect a Synodical Missionary Superintendent; or, if Synod so decide, unite with the Synodical Committee of a neighboring Synod or Synods of The United Lutheran Church in America in the election of a District Missionary Superintendent, and shall make recommendation to the Synod for an apportionment sufficient to cover the salary and expenses of such Synodical or District Superintendent.

ARTICLE SEVEN

SECTION I—COMMITTEE OF PRESIDENTS

1. This Committee shall consist of the President of the Synod, who shall be its Chairman, and the Presidents of the Conferences.

2. The duty of this Committee shall be to advise with and assist the President of Synod in the discharge of the duties of his office; to confer with him concerning the needs of the Church on the territory of the respective Conferences, and to consider and advise with him concerning resolutions and needs of The United Lutheran Church in America to make the same effective in the congregations of the Synod; and to act upon such other matters as may be referred to it from time to time by the Synod.

3. This Committee shall make a record of all pastoral installations, corner-stone layings, dedications of churches, etc., together with proper memoirs of ministers of the Synod deceased during the year; and report the same and all its actions to the annual convention of the Synod.

SECTION II—COMMITTEE ON MINISTERIAL EDUCATION

1. This Committee shall consist of the President of the

Synod, and an equal number of ministers and laymen to be appointed annually by the President of the Synod.

2. It shall be the duty of this Committee to devise ways and means to encourage young men to prepare for the Ministry of the Gospel; to disburse such funds as the Synod shall appropriate or as may be granted by the Board of Education of The United Lutheran Church in America for the assistance of Students for the Ministry, and supervise their work under such rules as the Synod shall approve; and to present to the Synod all such information and recommendations regarding the work of Ministerial Education as may require consideration or action.

SECTION III—THE EXAMINING COMMITTEE

1. This Committee shall consist of not less than ordained ministers of Synod, who shall be appointed by the President of the Synod for a term of three years, in such manner that the terms of at least two members shall expire each year. No member shall be reappointed until a year shall have expired after the completion of his term of service.

2. It shall be the duty of this Committee to examine into the qualifications of all applicants for ordination and admission into the Synod, as provided in Article Eight, Section I.

3. This Committee shall report to the Ministerial Session, and shall recommend such applicants as shall satisfy the provisions of Article Eight, Section I, but a two-thirds vote of the members of the Committee present shall be necessary for recommendation.

ARTICLE EIGHT

THE RECEPTION OF MEMBERS

SECTION I—MINISTERS

1. All applications for ordination or for reception into the Synod shall be made to the President and referred by him to the Examining Committee, which shall report on the same to the Ministerial Session; and upon the recommendation of a two-thirds vote of the Ministerial Session, the final decision shall be made by the Synod.

2. Every minister received into the Synod and every candi-

date who is ordained shall sign this Constitution prior to admission into membership.

A. Applicants for Ordination.

1. The examination of candidates for ordination shall be open to all members of the Synod. It shall test the general fitness of each applicant for the office of the Ministry, his reasons for seeking the office, his theological attainments, his acceptance of the standards prescribed in Article One, Section II, and his loyal appreciation of the organization and work of the Synod and of The United Lutheran Church in America.

2. Applicants for ordination shall present to the Examining Committee a satisfactory written testimonial of Christian life and character and also of the course pursued in theological study.

3. Every candidate to be ordained by the Synod shall be at least twenty-one years of age, and shall exhibit satisfactory evidence to the Examining Committee that he has received a regular call from a congregation, a Synod or a Church Board, to a specific field of ministerial labor, and that he has accepted such call upon the condition of his approval by the Synod.

4. A candidate who has not received and accepted a call may present himself for examination, and if approved by the Examining Committee, he may be favorably reported by the Ministerial Session and recommended to the Synod for ordination—which shall take place when he shall have submitted satisfactory evidence to the President that he has received and accepted a regular call, and shall have given assurance of his acceptance of the provisions of this Constitution, especially Article One, Section II.

B. Of Ordained Ministers.

1. Any regularly ordained minister of a constituent Synod of The United Lutheran Church in America, applying for admission into this Synod, shall furnish evidence of his ordination and Christian character, together with a letter of dismissal issued by the Synod from which he comes; he shall present himself for consultation to the Examining Committee; and if, on favorable report of said Committee to the Min-

isterial Session, two-thirds of the ministers present approve he shall be recommended to the Synod for reception.

2. Any regularly ordained minister of the Evangelical Lutheran Church, belonging to a Synod not constituent of The United Lutheran Church in America, who may apply for admission into the Synod, shall furnish satisfactory evidence of his ordination and of his Christian character, together with a letter of dismissal or testimonial of good standing issued by the body from which he comes; he shall also be subject to a colloquium with the Examining Committee as to his acceptance of the standards prescribed in Article One, Section II, and his loyal appreciation of the organization and work of the Synod and of The United Lutheran Church in America; and if, on favorable report from the Examining Committee to the Ministerial Session, two-thirds of the ministers present approve he shall be recommended to the Synod for reception.

3. A minister coming from an Ecclesiastical Body other than Lutheran shall, with his application for membership, present satisfactory evidence of his ordination and his Christian character, as well as his good standing in the Body with which he was formerly connected. His application and testimonials shall be referred to the Examining Committee, who, in colloquium with the applicant, shall ascertain his knowledge and acceptance of Lutheran doctrine and practice, especially the doctrinal basis and usages of this Synod and of The United Lutheran Church in America. If such examination warrant, the Examining Committee shall, in each instance, recommend to the Ministerial Session the action to be taken; and if, on favorable report of the Committee, two-thirds of the ministers present and voting shall approve, he shall be recommended to the Synod for reception.

SECTION II—RECEPTION OF CONGREGATIONS

A congregation desiring admission to the Synod shall place in the hands of the President a formal application signed by the secretary of the Church Council and by the pastor, and shall send a representative to the meeting of the Synod; it shall submit a copy of its Constitution, and of its Charter, if incorporated. If these are in accord with the requirements of the Constitution of the Synod, the congregation may be received into membership by a majority vote of the Synod at

any meeting. Contemplated changes of its Constitution, affecting its articles on Faith, adherence to the Synod and The United Lutheran Church in America, and disposition of its property, shall be reported to the President of the Synod for his approval.

ARTICLE NINE

SECTION I—MINISTERS

1. Ministerial members of the Synod are those who have become such by ordination or by reception from another Synod in accordance with Article Eight of this Constitution. Their membership shall cease only by death, by regular transfer and reception into another Synod, or by process under Article Eleven. They become pastors by being regularly called to serve a congregation or pastoral charge of the Synod, and after their installation as such upon the approval of the President of the Synod.

2. In addition to pastors of congregations the Synod may include and continue upon its ministerial roll such who, although without a pastoral charge, hold educational, executive, missionary or editorial offices to which they have been appointed by the Synod or by The United Lutheran Church in America or any of its regularly constituted Boards which are recognized as competent to make such appointments.

3. Every minister shall conform his preaching, and teaching, to the doctrinal basis set forth in Article One, Section II.

4. Every pastor shall preach the Word, administer the Sacraments, conform the manner of conducting public worship to the accepted practice of The United Lutheran Church in America, using such books of worship and instruction as have been accepted and approved by The United Lutheran Church in America; he shall care for the people under his pastorate as individuals and as congregations in common faith and harmonious interest with all other members and congregations of The United Lutheran Church in America; give catechetical instruction regularly; confirm, perform the marriage ceremony in accordance with the laws of God and of the State; visit and minister to the sick and infirm; bury the dead; install regularly elected members of the Church Council, and, with the Council, administer discipline; supervise all schools and auxiliary organizations of the congregation, and promote the upbuilding of the King-

dom of our Lord Jesus Christ in the community, in the homeland and abroad. He shall seek out and encourage young men having proper natural gifts and qualifications to prepare for ordination to the Holy Ministry of the Gospel; cooperate with the agencies and officers of Conference and Synod in every way to educate the people to increase their liberality for the causes of benevolence recommended by the Synod or supported by The United Lutheran Church in America; and shall use his best endeavor to stimulate piety in the individual and family life of the people, as well as a knowledge of the Church and her work by the circulation of the literature of the Church.

5. The pastor shall keep accurate parochial records of baptisms, confirmations, members received by transfer or profession of faith, members dismissed, deceased or excommunicated, together with a roster of all communicant members of his charge, keeping the record of each congregation in a pastoral charge in a separate book, which shall be the property of the congregation; and shall annually report an accurate abstract of these statistics to the Synod or to an official appointed by the Synod for that purpose, for publication in a Synodical table of Parochial Reports.

6. No minister shall preach or perform any ministerial act within the pastorate or pastoral charge of a brother minister, except upon his request or with his consent; nor shall he visit and preach or perform ministerial acts in a vacant charge or congregation except upon formal invitation of the Church Council, or the consent or appointment of the President of the Synod.

7. Should a minister belonging to this Synod find himself constrained to demit the regular duties of the ministry, his name shall be continued upon the roll as a member; but if he engages in any business or office incompatible with the nature of the Holy Office of the Ministry, such act shall be sufficient reason why the Synod, upon recommendation of the Ministerial Session, should strike his name from its membership roll. In this connection the Committee of Presidents is charged to report annually to the Ministerial Session for consideration and reference a full list of all others than superannuated or physically incapacitated ministers on the roll who for a period of two or more years have not been engaged in regular ministerial work as defined in paragraphs 1 and 2

of this Section, and the Ministerial Session shall decide when the name of a disengaged minister is to be recommended to the Synod to be dropped from the roll of members.

8. If any minister in good and regular standing in the Synod enters a field of labor within some Synod in the same fellowship of faith with this Synod, he shall, upon application to the President, be entitled to, and the President shall furnish him with, a certificate of honorable dismissal; but until formally received into the membership of the Synod to which he has been dismissed he shall be fully amenable to this Synod.

9. It shall be the duty of every pastor, when members of his congregation or pastoral charge remove into the bounds of another, to urge such members to connect themselves with the congregation into whose territory they have removed; to immediately notify the pastor of said pastoral charge of such removal; and, upon application, to furnish certificates of transfer to such as are entitled to the same.

10. When the Synod deems that loyalty to the Word of God requires it, it shall advise, admonish, and exercise discipline concerning the association and affiliation of its ministers with non-ecclesiastical and other organizations whose principles or practices the Synod shall deem to be inconsistent with full loyalty to the Christian Church. (*See Constitution of The United Lutheran Church, Art. VIII, Section 6.*)

11. All ministers of the Synod shall attend all meetings of the Synod, the Ministerial Session, and the Conference to which they belong. In case of unavoidable absence, the absentee shall send to the secretary an excuse for his absence; and nothing shall be regarded as a valid excuse except urgent necessity and positive inability to attend. Repeated absence without valid excuse shall subject the absentee to discipline.

SECTION II—LICENTIATES

I. In case of a lack of ordained ministers available to serve all the pastorates of the Synod, or for special pastoral service as need may arise, theological students, of general qualifications fitted for ministry and having satisfactorily passed the first and second years in an accepted Theological Seminary of the Lutheran Church, may be licensed by the Synod

to preach and perform ministerial acts in charge of a pastorate to which they have been regularly called, or appointed by the President of Synod as supply pastors, for a period of time, on condition, however, that such licentiates agree to return to a Theological Seminary after a period of licensed service and complete their studies for graduation in the usual course as applicants for ordination.

2. Before accepting a call, a licentiate shall obtain the consent of the President of Synod.

3. All applications for licensure shall be made to the President of Synod and by him be referred to the Examining Committee.

4. Applicants for licensure shall appear before the Examining Committee, who, upon satisfactory evidence of fitness, may recommend such applicants to the Ministerial Session for licensure.

5. A licentiate shall have power to perform all ministerial acts, and represent his pastorate as a delegate to the Synod or Conference during the time specified in his license as if he were ordained.

6. After a licentiate has taken a charge, he shall not leave the same during the time of his license without the consent or call of the President of Synod.

7. All licenses issued by order of the Synod shall expire at the next annual meeting of the Synod, but may, at the recommendation of the Ministerial Session, be renewed for one succeeding year.

8. Every licentiate shall keep an accurate journal of his ministerial acts, which, with at least four sermons preached by him, and his certificate of licensure, he shall deliver to the President of Synod at least three weeks before the annual meeting of the Synod, for the inspection of the Examining Committee.

9. Should the attention of the President of Synod be directed by common rumor or complaint to alleged offences or incapacity of any licentiate of the Synod, he shall immediately investigate the matter; and, should he deem such action necessary, he shall immediately recall and annul the license of such licentiate.

ARTICLE TEN

THE CONGREGATIONS

1. It shall be the duty of the Church Council or Councils of every pastoral charge belonging to the Synod to appoint annually from its communicant members in good standing a lay delegate who shall represent the charge at all meetings of Synod and of Conference, and submit his report to the parish; and the congregation or pastoral charge shall arrange to pay his and their pastor's regular expenses to be in full attendance upon such meetings. It may also appoint an alternate to take the place of the regular delegate in his absence.

2. Every congregation belonging to the Synod, as it has a share in all its acts and supervision, shall comply with the Constitution, By-Laws, decisions and recommendations of the Synod and local Conference, and conform its public worship and ministrations to the order used by The United Lutheran Church in America and approved by the Synod. It shall observe and make systematic effort to meet at least the apportioned amount of contributions to the treasury of the Synod, and afford to all its members a regular channel of contribution for the benevolent operations of the Church, the minimum amount being indicated by a budget of apportionments by Synod to the congregation. It shall make earnest effort to pay such amounts into the Synodical Treasury in monthly installments. It shall make due and liberal provision for the Ministration of the Word and Sacraments, endeavor to hold at least one service every Lord's Day and see that the pastor is properly supported; and make all necessary provision for the promotion of piety in its families and for the Christian training of the young.

3. In cases of vacancy, difficulty or strife in a congregation, the Church Council shall seek the advice and instruction of the President of the Synod.

4. In cases of strife and division, should any part of a congregation belonging to the Synod reject the faith set forth in Article One, Section II, or revolt against the Constitutional provisions or its obligations as a member of the Synod, that part of the congregation, whether majority or minority, of its membership, which continues in unity with the Synod

and its faith shall be recognized as the lawful congregation.

5. No congregation shall make any enactments in conflict with this Constitution or with the accepted regulations of The United Lutheran Church in America.

6. Should a pastor resign, the Church Council shall receive the letter of resignation and refer the same to the congregation for its action; and at once report the fact to the President of the Synod.

ARTICLE ELEVEN

DISCIPLINE

SECTION I—OFFENCES

The offences for which members of the Synod shall be subject to discipline are:

(a.) Preaching or teaching doctrine in conflict with the faith set forth in Article One, Section II.

(b.) Conduct incompatible with moral purity or with the character of the ministerial office.

(c.) Willful disregard and violation of the Constitution, authority and resolutions of the Synod.

SECTION II—PENALTIES

1. The penalties which may be imposed upon ministers are:

(a.) Private censure and admonition by the President.

(b.) Public censure and admonition in any session of the Synod or Conference.

(c.) Suspension from the office and functions of the ministry for a designated period, or until there is satisfactory evidence of repentance and amendment.

(d.) Exclusion from the Synod.

(e.) Deposition from the ministerial office.

2. Should any congregation belonging to the Synod turn away from the faith set forth in Article One, Section II;

neglect or refuse to exercise proper discipline over its members after due admonition by the President of the Synod; disparage the cause of the Christian Church and the upbuilding of the Kingdom of Jesus Christ through applied benevolences; or willfully disregard and violate the Constitution and resolutions of the Synod and persist in such disregard and violation, it shall be excluded from membership in this Synod.

SECTION III—PROCESSES AGAINST A MINISTER

A. The Bringing of Charges.

I. BY A CONGREGATION

If serious accusation be lodged against a minister before a Church Council by (six?) voting members in the congregation, unless otherwise provided for by the Constitution of the congregation, the Council shall confer with him about the same and shall endeavor to obviate all just cause of complaint and to reconcile all parties; nor shall any further steps be taken until all proper efforts to this end on the part of the Church Council have been exhausted.

If in the judgment of the Church Council a *prima facie* case has been made out against the minister, it shall report its findings in writing to the President of the Synod, specifying the charges, which must, however, be founded on the subscribed testimony of at least two credible witnesses. If the Church Council shall ignore the accusation the members of the congregation who have brought the charges may in like manner lay them before the President of the Synod.

If a minister be charged with some specific sin not in the manner aforesaid, but by widespread rumor which is not transient, but which continues and strengthens, the Church Council shall endeavor to remove the scandal; and if it fails or finds evidence of guilt, it shall at once report the case to the President of the Synod.

2. BY MEMBERS OF THE SYNOD

Three members of the Synod may prefer charges against a minister, but such charges must be specific, in writing, and signed by them.

3. BY THE PRESIDENT OF THE SYNOD

Should the attention of the President of the Synod be directed by rumor or complaint to alleged offences on the part of any of its members he shall immediately investigate the matter and endeavor to remove any cause for complaint or scandal. Should he fail in his efforts, or should he deem such action necessary, he shall appoint a committee of investigation as hereinafter provided.

B. The Preliminary Investigation.

IN CASES THAT MAY REQUIRE A FORMAL TRIAL .

If any accusation against a minister of the Synod be lodged with the President by a congregation, or by three members of the Synod, he shall at once communicate with the accused respecting the matter; and, if the accused should desire an investigation, or the nature of the accusation be such as to call for it, the President shall order such investigation by the Conference, or he may appoint a committee for that purpose, and cite the accused to appear before said committee to make answer to the charges.

When such investigation is appointed, a copy of the complaint against the accused shall be furnished him by the President, allowing him not less than ten days between the time of his citation and the time appointed for the hearing; and if the accused should refuse or fail to appear without presenting adequate reasons why the investigation should be deferred to another time, it shall proceed in the same manner as if he were present.

If the findings in such an investigation show gross immorality, or flagrant transgression, the same shall at once be reported to the President of the Synod, who shall immediately suspend him from the office and functions of the ministry until his case has been finally decided by the Synod.

If the findings of the investigation show sufficient evidence of guilt, besides reporting the case to the President, the Conference or committee making the investigation shall formulate the charges and specifications against the accused, and the President of the Synod shall furnish a copy to the accused not less than twenty days before the meeting of the

Synod, at the same time citing him to appear at said meeting, when his case shall be heard and decided.

C. The Trial.

When charges have been brought against a minister of the Synod and the preliminary investigation has shown that a formal trial is necessary, the President shall report the matter to the next annual meeting of the Synod, or to a special meeting called for the purpose, and the case shall be referred to a Committee on Discipline consisting of not less than (fifteen?) members. The charges and specifications against the accused shall be presented, in his presence if he desires it. The accused shall have the right and opportunity to be fully heard and to call witnesses in his own defence, and may be represented by counsel, who, however, shall be members of congregations belonging to the Synod. The Committee on Discipline shall hear all relevant testimony, and shall present its findings to the Synod. If the findings be adverse to the accused, it shall also recommend the penalty to be inflicted. The findings of the Committee may be adopted and the penalty determined by a majority vote of the Synod; but the accused may appeal from the findings of the Committee, in which case he shall be tried by the Synod in secret session, and the method of procedure shall be the same as before the Committee on Discipline. In case of such appeal all penalties shall be suspended until the case has been tried and determined by the Synod.

When a minister is charged with teaching or preaching doctrines that are in conflict with Article One, Section II, of this Constitution, the Committee on Discipline shall consist entirely of ministers, and shall report its findings to the Ministerial Session; but the accused may appeal to the said Ministerial Session against the findings of the Committee, in which case the Ministerial Session shall proceed to try the charges. In acting upon the report of the Committee on Discipline or in its trial of charges, the Ministerial Session shall take a vote upon two counts: First, Is the doctrine specified in conflict with Article One, Section II? Second, Is the accused guilty of preaching or teaching such doctrines? The guilt of the accused shall be determined only upon a two-thirds vote on the first count, and upon a majority vote

on the second count. The Ministerial Session shall then report its decision to the Synod, which shall determine the penalty by a majority vote; but the penalty shall not be less than suspension from the Ministry, which shall continue until such time as the accused shall have made full recantation of the errors because of which he has been suspended.

When the Synod has made final decision in the case of the trial of a minister, the President of the Synod shall at once announce the decision, whether guilty or not guilty. If guilty, the President shall pronounce the sentence in the presence of the body; also, if possible, in the presence of the person adjudged guilty, and a copy of the sentence shall be given him.

If in any case new evidence shall be presented to the President which shall be sufficient in his judgment to warrant a retrial, he shall present the evidence to the Synod, and the latter shall decide whether the case shall be reopened. When the penalty imposed has been greater than that of public or private censure, he shall at once call a special meeting of the Synod to consider the matter.

The proceedings in a case of discipline shall not be published, in part or in whole, before the final decision is reached and the result officially declared.

The administration of discipline in a congregation is governed by the congregation's Constitution, but a pastor or member of any congregation belonging to the Synod may appeal to the Synod from the disciplinary action of the congregation. All such appeals, whether on the part of the pastor or a member of the congregation, must be made in writing to the President of the Synod within thirty days after the action has been taken. A copy of said appeal shall be promptly transmitted by the appellant to the officers of the congregation, nor shall the appeal be entertained unless there is evidence that the same has been received by said officers. Upon receiving such appeal, the President of the Synod shall refer the matter for investigation and determination to the Conference with which the congregation is connected, or to a special committee appointed by him. All relevant testimony shall be heard in such investigation. The decision or finding of the Conference or committee shall be reported to the President of the Synod and shall be final unless the Synod at its subsequent meeting shall determine otherwise.

No minister or layman while under discipline or sentence

of suspension shall hold any office in the Synod, or serve as a delegate, director or trustee under its appointment; and every committee, board, delegation, or body of appointees constituted by the Synod shall see to the enforcement of this rule.

It shall also be the duty of all pastors and congregations belonging to the Synod to respect the disciplinary action of the Synod; and for any pastor or congregation to set aside or disregard any such disciplinary action shall be deemed a violation of order which shall subject the offender to discipline.

ARTICLE TWELVE

The Synod shall be incorporated.

ARTICLE THIRTEEN

THE SEAL AND THIS CONSTITUTION

SECTION I

1. The Seal of the Synod presents (here describe definitely the symbols and legend which the Seal of the Synod contains).

2. The Seal shall be in charge of the President of the Synod, who shall affix it, or cause it to be affixed, to all documents, certificates, deeds, legal papers, or official copies of resolutions, licenses, etc., requiring the Seal of the Synod.

SECTION II

1. The provisions and ordinances contained in the Constitution and By-Laws of the Synod, in so far as the same are severally applicable, shall be of like force in the government of the Synod, the Ministerial Session and the Conferences.

2. Section II of Article One (Subject, The Doctrinal Basis) of this Constitution shall not be altered nor amended by this Synod.

3. Other articles of the Constitution of this Synod may be

amended by a two-thirds vote of the members present at a regular annual meeting, provided that such proposed amendment be moved and presented in writing by not less than (six?) members at a previous regular annual meeting.

4. Everything in any By-Law, resolution, or enactment of the Synod differing from or in conflict with this Constitution is hereby superseded and repealed.

